

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,,

Plaintiff,

vs.

TERRELL B. SULLIVAN,,

Defendant.

4:18CR3151

ORDER

Defendant is seeking affirmation that the proposed plea agreement is the most beneficial to him. Defendant has orally moved for appointment of new counsel (filing no. 42). Defendant is eligible for appointed counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska.

IT IS ORDERED:

- 1) The Federal Public Defender for the District of Nebraska shall provide the court with a draft appointment order (CJA Form 20) for additional counsel to assist Defendant and the court in determining whether new counsel should be appointed to represent Defendant in this case. The court requests appointment of an "A" panel attorney. The draft appointment order shall bear the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.
- 2) Additional counsel shall enter an appearance promptly upon appointment. Defendant's appointed counsel shall provide all case materials for review by Defendant's additional counsel, who shall confer with Defendant prior to the scheduled hearing on defense counsel's motion to withdraw.
- 3) A status hearing on the Defendant's motion for new counsel, (Filing No. 42), will be held before the undersigned on September 25, 2019 at 11:00 a.m. in Courtroom #2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska. Defendant, Defendant's current appointed counsel, Defendant's

additional counsel, and counsel for the government shall be present at the hearing.

- 4) The clerk shall promptly provide a copy of this order to the Federal Public Defender.
- 5) Due to the pending motion, the time between today's date and September 25, 2019, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, for the reason that Defendant needs additional time to adequately prepare the case, and a failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1)(D) and (h)(7)(A) & (B).

August 21, 2019.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge